



Docket No.: 50203-135

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
Takafumi FUKUMOTO : Confirmation Number: 8290
Serial No.: 09/955,031 : Group Art Unit: 2863
Filed: September 19, 2001 : Examiner: Hien Xuan VO
For: SYSTEM AND METHOD FOR CALIBRATING CONTROL UNIT

#37 Response
9/24/03
PATENT

09/26/2003 VERON2 00000001 500417 09955031

01 FC:1251

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 CFR 1.111

RECEIVED
SEP 23 2003
TECHNOLOGY CENTER 2800

Sir:

The following remarks are submitted in response to the Official Action mailed May 22, 2003. Claims 1-17 are now active in this application.

The indication that claim 3-8 and 12-17 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims is acknowledged and appreciated.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102 AND § 103

Claims 1, 2 and 9-11 are rejected under 35 U.S.C. § 102(e) as being anticipated by Joyce et al. (USPN 6,550,052).

The rejections are respectfully traversed.

The factual determination of lack of novelty under 35 U.S.C. § 102 requires the identical disclosure in a single reference of each element of a claimed invention such that the